

## **EXHIBIT 4**

# OPUS 2

## INTERNATIONAL

Ras Al Khaimah Investment Authority v Farhad Azima

Day 7

January 30, 2020

Opus 2 International - Official Court Reporters

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1 anything about, would you?  
 2 A. I would not know anything about, your Lordship.  
 3 Q. And if it was carried on by or through Mr Page with the  
 4 involvement of Mr Buchanan, that's something you  
 5 wouldn't know anything about?  
 6 A. No, I would not, your Lordship.  
 7 Q. And if it was carried out through Mr Page with the  
 8 involvement of Mr Gerrard, you wouldn't know anything  
 9 about it either, would you?  
 10 A. No, I would not, your Lordship.  
 11 MR LORD: Thank you, my Lord. I'm grateful. Thank you.  
 12 MR TOMLINSON: I think slightly more than two questions, but  
 13 I don't have anything arising from it.  
 14 MR LORD: Sorry, I apologise.  
 15 MR AMIR HANDJANI (affirmed)  
 16 Examination-in-chief by MR TOMLINSON  
 17 MR TOMLINSON: Could you give the court your full name and  
 18 your business address, please?  
 19 A. Yes. Amir Ali Handjani, RAK Petroleum PLC, PO Box 1223,  
 20 Ras Al Khaimah, UAE.  
 21 Q. Could you take bundle D, please? I think it's there in  
 22 front of you. At tab {D/15/1} there should be  
 23 a document which says, "Witness statement of Amir Ali  
 24 Handjani"; is that right?  
 25 A. That's correct, my Lord.

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1 Q. And if you turn to page {D/15/6}, is that your  
 2 signature?  
 3 A. It is, my Lord.  
 4 Q. And is there anything in that witness statement you wish  
 5 to clarify or correct?  
 6 A. There is not, my Lord.  
 7 Q. Are the contents of that witness statement true?  
 8 A. They are, my Lord.  
 9 Q. Turning to tab {D/16/1}, please, a document headed,  
 10 "Second witness statement of Amir Handjani", if you turn  
 11 to page {D/16/2}, is that your signature?  
 12 A. It is, my Lord.  
 13 Q. Are the contents of that witness statement true?  
 14 A. It is, my Lord.  
 15 Q. And that's your evidence in this court?  
 16 A. It is, my Lord.  
 17 MR TOMLINSON: If you could wait there, Mr Handjani, there  
 18 will be some questions.  
 19 Cross-examination by MR LORD  
 20 A. Good afternoon.  
 21 Q. Good afternoon, Mr Handjani. You say in paragraph 4 of  
 22 your -- sorry, first, you've been in court, haven't you,  
 23 throughout the trial up to this point?  
 24 A. I have, my Lord.  
 25 Q. And therefore you have heard the evidence that's been

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1 given so far on behalf of RAKIA?  
 2 A. I have, my Lord.  
 3 Q. What preparation have you done for giving evidence  
 4 today?  
 5 A. I've reviewed my statement, my Lord.  
 6 Q. And have you discussed the case with anybody?  
 7 A. I have not. Only with our counsel, my Lord.  
 8 Q. You say in paragraph 4 at {D/15/1} that you are a US  
 9 citizen and a qualified lawyer in two US jurisdictions.  
 10 A. That's correct.  
 11 Q. "I practised law in the US, including work for the  
 12 Department of Justice, until around 2004, when I moved  
 13 to the UAE to set up and work for an e-commerce  
 14 company."  
 15 Do you see that?  
 16 A. That's correct, I do.  
 17 Q. You moved to the UAE in 2004. That's right, isn't it?  
 18 A. It is, Mr Lord.  
 19 Q. And it's right, isn't it, that during the 2008 to 2010  
 20 power struggle in Ras Al Khaimah, you backed the winning  
 21 side? Would that be fair?  
 22 A. I didn't -- I'm not clear what you mean by "backing".  
 23 Q. Well, there was a power struggle, wasn't there, for  
 24 the -- to be Ruler of RAK around about 2008 to 2010?  
 25 A. There was no power struggle, my Lord. The Crown Prince,

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1 who is the current Ruler, was Crown Prince duly anointed  
 2 by the federal government. His brother, my Lord, came  
 3 in after the current Ruler's father died and tried to  
 4 re-establish himself as a Ruler. The federal  
 5 authorities in Abu Dhabi came down very hard and made it  
 6 clear that they would not be stopping the current  
 7 Crown Prince becoming Ruler. That happened within  
 8 hours, my Lord, of the -- his father dying. My support  
 9 had nothing to do with that, my Lord.  
 10 Q. But there was a power struggle within RAK, wasn't there,  
 11 around about 2008 to 2010?  
 12 A. I wouldn't call it a "power struggle", my Lord --  
 13 Q. Struggle for power?  
 14 A. Well, "struggle for power" --  
 15 Q. A struggle to rule Ras Al Khaimah?  
 16 A. No, there was -- the Ruler of Ras Al Khaimah de facto  
 17 was the Crown Prince since 2003, my Lord.  
 18 Q. Because Mr Page has given some evidence about -- and  
 19 Mr Buchanan has -- about there being certain problems in  
 20 Ras Al Khaimah in relation to the Rulership around about  
 21 that time. Were there some problems in relation to the  
 22 accession of the current Ruler?  
 23 A. My Lord, as I just testified to, after the current  
 24 Ruler's father died --  
 25 JUDGE LENON: Which year was that?

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1 A. I believe, my Lord, it was 2010 or 2011. I can't  
2 recall, my Lord. The ex-Crown Prince who was removed in  
3 2003 by federal authorities came back to the UAE and --  
4 to assert his claim of leadership again. The federal  
5 authority in the UAE, my Lord, is Abu Dhabi. They are  
6 the most powerful Emirate. They control the security  
7 services. They came in and they blocked him from doing  
8 so, and within a matter of I think minutes or hours  
9 after the father of the current Ruler passed away, my  
10 Lord, they announced that he was going to be the Ruler  
11 of the Emirate, Mr Lord.  
12 MR LORD: You say the ex-Crown Prince. Was he older than  
13 the current Ruler? Is he older? Was he older?  
14 A. I'm not sure, my Lord.  
15 Q. So how was it that he was a Crown Prince at one point  
16 and then became an ex-Crown Prince?  
17 A. I have no idea, my Lord.  
18 Q. So when he was Crown Prince, he was presumably in line  
19 to succeed the Ruler who died in about 2011, wasn't he?  
20 A. That's a fair statement.  
21 Q. And how did his claim effectively give way to the claim  
22 of the current Ruler to rule Ras Al Khaimah?  
23 A. I believe, counsel, the current Ruler's father who was  
24 the -- my Lord, in the Emirates, each Emirate -- there  
25 are seven. Together they form the United Arab

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1 Emirates -- has a Ruler, a Crown Prince and a Deputy  
2 Ruler. The current Ruler's father at that time was  
3 the Ruler. One of his sons was the Crown Prince and  
4 Deputy Ruler, he held both titles, and he, along with  
5 the federal government -- because this all has to take  
6 place with the blessing of the federal government in  
7 Abu Dhabi -- decided to remove the Crown Prince and  
8 Deputy Ruler and put the current Ruler as Crown Prince.  
9 Q. And do you know why that decision was taken?  
10 A. I do not, my Lord.  
11 Q. Was there a good reason for it?  
12 A. I just told you I don't know.  
13 MR TOMLINSON: My Lord, just so that your Lordship has it,  
14 the chronology has the date on which the current Ruler  
15 became Ruler. It was 27 October 2010.  
16 JUDGE LENON: Thank you.  
17 MR LORD: It's right, isn't it, that -- well, Mr Handjani,  
18 when did you first meet the current Ruler?  
19 A. As I say in my statement, counsel, around about 2004 --  
20 sorry, 2004/2005.  
21 Q. What sort of contact or relationship did you have with  
22 him thereafter?  
23 A. He became an investor in an e-commerce company that  
24 I founded -- actually I was working for -- and had an  
25 ownership stake in it at the time.

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1 Q. Did he become some sort of patron of you in a loose  
2 sense of the word?  
3 A. I think that's a fair statement.  
4 Q. And it would be fair, wouldn't it, that as a result of  
5 that you felt and feel some degree of loyalty to him?  
6 A. Also a fair statement.  
7 Q. Could you explain your role at working for  
8 RAK Petroleum, please, over time? I think you say in  
9 your statement that in 2006 you became a vice-president  
10 of legal affairs of RAK Petroleum. Can you see that?  
11 A. I do. My Lord, around about 2006 the company that I was  
12 working for was sold. I received a job in the  
13 United States to go work in the legal department of  
14 a large insurance company known as AIG and the Ruler --  
15 the Crown Prince -- His Highness, the Crown Prince at  
16 the time, had said that he was starting an oil company  
17 and, because of my legal background, I could be helpful  
18 to him. And after some deliberation I decided to stay  
19 in the UAE and become an executive -- actually the first  
20 employee of that oil company, my Lord.  
21 Q. Of RAK Petroleum?  
22 A. Correct, my Lord.  
23 Q. You say I think in paragraph 7 {D/15/2} that in around  
24 2009 His Highness introduced you to Mr Andrew Frank.  
25 A. Correct, my Lord.

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1 Q. Mr Frank worked for or owned Karv Communications in the  
2 US, didn't he?  
3 A. Not at that time, my Lord. He was working for a public  
4 relations firm that was based in the United States but  
5 may have been part of a European conglomerate. I don't  
6 recall the name.  
7 Q. In paragraph 8 {D/15/2} you say this:  
8 "Since 2009, I have got to know Mr Frank well. When  
9 Mr Frank set up his public relations company,  
10 Karv Communications, he appointed me as a senior  
11 adviser ..."  
12 A. That was around about 2012, my Lord.  
13 Q. And how did you get to know Mr Frank well?  
14 A. My Lord, in about 2009 there was a yachting race known  
15 as the "America's Cup". It's a world-famous race.  
16 Although I'm not a yachtsman, I'd come to know of the  
17 race. It was -- the race was the -- the cup-holder at  
18 the time wanted to have the race in Ras Al Khaimah. He  
19 was the -- the challenger was an American named  
20 Larry Ellison, the owner of Oracle, the founder the  
21 Oracle, the majority shareholder of Oracle, which is  
22 a major software company in the United States, and he  
23 was contesting the rights of the America's-Cup-holder to  
24 have this race in Ras Al Khaimah.  
25 Mr Frank at the time was introduced to the Emirate

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1 I think by people in Abu Dhabi, and because I was an  
 2 American and this was the America's Cup, I think, and  
 3 Mr Frank was an American, His Highness called me to meet  
 4 him.  
 5 Q. And you went -- you became a senior adviser to  
 6 Karv Communications?  
 7 A. Yes. As Mr Frank left his previous job and started  
 8 Karv Communications, he made me a senior adviser.  
 9 Q. Was that a paid position?  
 10 A. It was not at the time, no.  
 11 Q. Do you still work for Karv Communications?  
 12 A. I'm a senior adviser, my Lord, I work on certain  
 13 projects at Karv, but I'm not an executive or  
 14 a full-time employee at Karv.  
 15 Q. So why would it be unpaid, if you don't mind my asking?  
 16 Why would you be an unpaid senior adviser?  
 17 A. I wasn't -- I mean, he was just starting a firm, my  
 18 Lord, and using my name as one of -- there was about  
 19 seven or eight senior advisers. I wasn't doing anything  
 20 at the time for them.  
 21 Q. So you sort of lent your name to assist him set up his  
 22 business really?  
 23 A. That's a fair statement, counsel.  
 24 Q. Because you, by then, had a bit of -- you had a bit of  
 25 profile that might be useful to Mr Frank?

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1 A. Also a fair statement.  
 2 Q. You say in paragraph 9 {D/15/2} -- sorry, it's right,  
 3 isn't it, that Karv Communications ended up working for  
 4 the Ruler and RAK, didn't they?  
 5 A. Correct, my Lord.  
 6 Q. And was that as a result of your offices? Did you  
 7 essentially link them up or not?  
 8 A. I did not, my Lord. Mr Frank had an independent  
 9 relationship with the Emirate. He met the Emirate on  
 10 his own. In fact, when I joined Karv Communications as  
 11 a senior adviser, I asked permission to make sure there  
 12 was no conflict of interest.  
 13 Q. And Karv Communications have worked, haven't they, for  
 14 the Ruler and/or RAK for some time now?  
 15 A. Yes. My Lord, in the United States, if you are a public  
 16 relations firm working for a sovereign or a governmental  
 17 entity, you have to register your work with the  
 18 US Department of Justice National Security Division and  
 19 something called a "FARA", a Foreign Agents Registration  
 20 Act. I believe Karv Communications at some time in 2012  
 21 or 2013 was -- and has been to this day, my Lord --  
 22 a FARA-registered agent of Ras Al Khaimah.  
 23 Q. And what sort of work do you understand  
 24 Karv Communications does for Ras Al Khaimah?  
 25 A. Strategic advisory work, global communications work on

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1 promoting Ras Al Khaimah and Ras Al Khaimah entities.  
 2 Q. And in paragraph 9 of your witness statement {D/15/2}  
 3 you give evidence about the restructuring of  
 4 RAK Petroleum between 2014 and 2015. Can you see that?  
 5 A. I can, my Lord.  
 6 Q. You say:  
 7 "Since then, whilst I have held (and continue to  
 8 hold) a position on RAK Petroleum PLC's board, I have  
 9 been less involved with the company's operations and  
 10 have held various positions outside of RAK. I was based  
 11 in the UAE until around 18 months ago, at which time  
 12 I relocated back to the US."  
 13 A. That is correct, my Lord.  
 14 Q. Can you tell his Lordship roughly how much time  
 15 would you spend in RAK in 2015?  
 16 A. My Lord, I would come and go. I was -- we were -- I had  
 17 stepped down as general counsel of RAK Petroleum a few  
 18 years before 2015. I was lead director, and I was  
 19 helping the company merge with a Norwegian oil  
 20 company -- actually, not merge; take a -- what we would  
 21 call a dominant position or a major position in the  
 22 Norwegian public company and then listing that vehicle  
 23 on the Oslo Stock Exchange. So I was going to and from  
 24 the UAE a lot, to both Oslo and London.  
 25 Q. So what's the answer to my question? Roughly how much

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1 time did you spend actually in Ras Al Khaimah?  
 2 A. I couldn't speculate.  
 3 Q. But roughly what proportion of your time? A few days  
 4 here and there or --  
 5 A. Yes, I think a few -- a few days after --  
 6 Q. A month?  
 7 A. Yes, yes.  
 8 Q. A few days every -- what? -- four to six weeks?  
 9 A. Correct, a few days, maybe a week, every four to six  
 10 weeks because the company listed in December of,  
 11 I think, 2015, if I'm not mistaken -- I think, yes.  
 12 Q. Would it be fair to say that you were becoming more  
 13 detached from what was happening in Ras Al Khaimah  
 14 in 2015?  
 15 A. That would be a fair statement.  
 16 Q. It's right, isn't it, Mr Handjani, that you don't have  
 17 any official qualification yourself to involve yourself  
 18 in any RAK criminal investigations --  
 19 A. That is correct, my Lord.  
 20 Q. -- or in any RAK criminal prosecutions?  
 21 A. That is absolutely correct, my Lord.  
 22 Q. And you are a qualified lawyer, aren't you, Mr Handjani?  
 23 A. Indeed, my Lord.  
 24 Q. And do you know whether the Ras Al Khaimah laws allow  
 25 someone to assist with a criminal investigation

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1 prosecution if they don't actually hold some formal or  
 2 official role in that regard?  
 3 A. I haven't a clue, my Lord.  
 4 Q. And do you know anything about the rules in relation  
 5 to -- in RAK to the detention of people?  
 6 A. Not one bit, my Lord.  
 7 Q. Or the procedure for charging people?  
 8 A. Not one bit, my Lord.  
 9 Q. Or the procedure for arresting them?  
 10 A. None, my Lord.  
 11 Q. So I think you would accept, wouldn't you, Mr Handjani,  
 12 that you wouldn't be an appropriate person to be  
 13 involved in any way in any consideration of whether to  
 14 press charges against somebody in Ras Al Khaimah?  
 15 A. I would accept that proposition, my Lord.  
 16 Q. Thank you. Can I ask you, please, Mr Handjani, to go to  
 17 paragraph 11 of your witness statement at {D/15/3},  
 18 where you mention a dinner there, Mr Handjani. Can you  
 19 see that?  
 20 A. Yes, yes, I can.  
 21 Q. And you say there that Mr Azima was there, Dr Massaad  
 22 and Ambassador Zalmay ... -- it's my pronunciation --  
 23 A. "Khalilzad".  
 24 Q. Thank you very much -- was there, as was the Ruler. Can  
 25 you see that?

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1 A. I can, my Lord.  
 2 Q. Can we have {H3/183} on the screen, please, Mr Handjani?  
 3 If you don't mind looking at that, please.  
 4 A. It's not on the screen yet.  
 5 Q. No, it will be coming up now. Sorry for the delay.  
 6 A. That's okay.  
 7 Q. {H3/183}.  
 8 A. Yes.  
 9 Q. It's a nice sunny picture --  
 10 A. Yes, it is.  
 11 Q. -- which is obviously welcome, and that's Mr Azima on  
 12 the left, isn't it?  
 13 A. It is, my Lord.  
 14 Q. And it's the Ruler in the middle, isn't it?  
 15 A. It is, my Lord.  
 16 Q. And it's the ambassador on the right, isn't it?  
 17 A. It is, my Lord.  
 18 Q. And it's right, isn't it, that Mr Azima in fact  
 19 introduced the Ruler to the ambassador?  
 20 A. I believe that's correct, my Lord.  
 21 Q. And can you go, please, in paragraph 12 of your witness  
 22 statement, Mr Handjani, at {D/15/3}?  
 23 A. Yes.  
 24 Q. You set out in that paragraph some helpful information  
 25 about some dealings you've had with Mr Azima over time,

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1 don't you?  
 2 A. Correct, my Lord.  
 3 Q. And it would be fair to say, wouldn't it, that you were  
 4 on pretty friendly terms with Mr Azima in 2015?  
 5 A. That is correct, my Lord.  
 6 Q. And also into 2016?  
 7 A. We've never been on unfriendly terms.  
 8 Q. No, and in fact, in 2016, as you say in paragraph 16 of  
 9 your witness statement -- in fact it might be 2015 --  
 10 sorry, paragraph 16 of your witness statement at  
 11 {D/15/4} -- you give evidence that the Ruler wanted you  
 12 to keep open the channel of communication with  
 13 Mr Azima --  
 14 A. That is correct, my Lord.  
 15 Q. -- because you were on good terms with him?  
 16 A. That is correct, my Lord.  
 17 Q. Thank you, Mr Handjani.  
 18 Could I ask you, please, to go to paragraph 6 of  
 19 your witness statement at {D/15/2} --  
 20 A. Yes.  
 21 Q. -- where you say you got to know the Ruler well over the  
 22 years.  
 23 A. Yes, my Lord.  
 24 Q. If we look at 2015, would it be fair to say that your  
 25 visit to the Palace were becoming less frequent because

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1 you were spending more time abroad?  
 2 A. That is correct, my Lord.  
 3 Q. And that perhaps some of the -- that you were no longer  
 4 as regular a visitor to the Palace as you had been  
 5 before?  
 6 A. That is a fair statement, my Lord.  
 7 Q. Can you tell roughly how often you would have visited  
 8 the Palace in 2015 to speak to the Ruler?  
 9 A. I can't recall, my Lord.  
 10 Q. What, intermittently or occasionally?  
 11 A. I think occasionally.  
 12 Q. And if you go, please, to -- are you aware of the  
 13 suggestion that within the Palace there is a place or  
 14 places where people are taken to be detained and  
 15 interrogated?  
 16 A. I became aware of that throughout the course of this  
 17 trial, my Lord.  
 18 Q. You didn't know about that before?  
 19 A. No, and I've been -- I've seen most of the Palace,  
 20 including the private residence. I know of no such  
 21 place, my Lord.  
 22 Q. Is it right that you have looked at all the parts in the  
 23 Palace? Have you inspected the Palace?  
 24 A. I have not inspected the Palace, my Lord, but I've --  
 25 some of the places that Mr Bustami had not been to, the

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1 private residence, other areas I've been to -- it's  
 2 a pretty normal residence.  
 3 Q. If we go to the Amnesty report -- you've been in court  
 4 for that -- are you suggesting that the Amnesty -- where  
 5 Amnesty records people being taken to the Palace and  
 6 detained and interrogated, are you saying that that is  
 7 false?  
 8 A. No, I'm just saying I've -- what it suggests I've never  
 9 seen and I've been around the Palace. I've never seen  
 10 a holding area in the Palace.  
 11 Q. So how do you reconcile what you've just said with what  
 12 the Amnesty reports say, which you've been in court to  
 13 hear?  
 14 A. I'm not in a position to reconcile it, counsel. I'm  
 15 just telling you what I've seen.  
 16 Q. And you're not in a position, are you, to say to  
 17 his Lordship that there is not any place within the  
 18 Palace where people have been taken to be detained and  
 19 interrogated?  
 20 A. To be precise, my Lord, I've never seen it, of such  
 21 a place.  
 22 Q. But it's unlikely that you would have seen it, isn't it,  
 23 Mr Handjani, given that you're not really meant to be  
 24 involved in criminal matters?  
 25 A. I have -- once again, my Lord, I've not seen such

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1 a place.  
 2 Q. But it would be unlikely that you would have any reason  
 3 to be taken to those sorts of places, isn't it,  
 4 Mr Handjani?  
 5 A. I can't comment on that one way or the other, counsel.  
 6 Q. Why would you be taken to a place in the Palace where  
 7 people were detained for interrogation?  
 8 A. I have never been taken to any such place, my Lord.  
 9 Q. But why would you have any cause to be taken to that  
 10 sort of place?  
 11 A. I would have no cause.  
 12 Q. And, therefore, you're unlikely to have been taken to  
 13 that place to see it, aren't you?  
 14 A. You said -- I'm sorry, could you repeat the question?  
 15 Q. What I'm getting you to, I think, consider is, if you'd  
 16 have had no cause to go to a place where people may be  
 17 detained and questioned within the Palace, you'd have no  
 18 reason -- you wouldn't know, would you, whether there  
 19 was or wasn't such a place unless you'd carried  
 20 a comprehensive inspection of all parts of the Palace in  
 21 its broadest sense?  
 22 A. For the avoidance of doubt, I have not carried any  
 23 comprehensive inspection of the Palace. If there is  
 24 such a place, I have not seen it.  
 25 Q. But you cannot say, can you, that there is not such

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1 a place in the Palace?  
 2 A. I cannot say.  
 3 Q. Can I please ask you to go to {H7/299}?  
 4 A. Yes.  
 5 Q. You've been in court for the discussion, the  
 6 consideration, of this document, Mr Handjani?  
 7 A. I have, my Lord.  
 8 Q. Had you seen this document before the trial started?  
 9 A. Never, my Lord.  
 10 Q. And is it right, then, that you became aware of it for  
 11 the first time when you heard it mentioned in this  
 12 trial?  
 13 A. Correct, my Lord.  
 14 Q. And can his Lordship take it that you've never ever seen  
 15 a copy of this document before?  
 16 A. I have never seen this document before, my Lord, until  
 17 court.  
 18 Q. And does it follow that you were not aware of Mr Page's  
 19 work in providing reports such as this to the Ruler?  
 20 A. I had never met Mr Page, my Lord, until court a few days  
 21 ago. I didn't know who he was.  
 22 Q. So the answer is "Yes" to my question, isn't it?  
 23 A. Could you repeat your question, please?  
 24 Q. You were not aware of Mr Page's work in providing  
 25 reports such as this to the Ruler?

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1 A. I was not aware.  
 2 Q. And you were not aware that Mr Page provided this report  
 3 to Mr Buchanan for him to look at?  
 4 A. I was not aware.  
 5 Q. And you were not aware that Mr Page provided this report  
 6 to Mr Gerrard -- that Mr Gerrard was also able on  
 7 occasion to read these reports of Mr Page?  
 8 A. That is correct.  
 9 Q. Does it follow from those answers, Mr Handjani -- would  
 10 it be fair to say that it appears as if there was some  
 11 work undertaken by Mr Page for the Ruler in respect of  
 12 which Mr Buchanan and Mr Gerrard were privy but which  
 13 did not involve you?  
 14 A. That is correct, my Lord.  
 15 Q. Did you ever discuss with the Ruler the work of Mr Page?  
 16 A. Never, my Lord.  
 17 Q. Were you informed orally of any of Mr Page's work?  
 18 A. Never, my Lord.  
 19 Q. Would you go to {Day6/126:1} please?  
 20 The transcript -- can you see {Day6/126:1}?  
 21 A. I can, my Lord.  
 22 Q. And can you see -- you were in court, I think, when  
 23 Mr Page gave that evidence, weren't you?  
 24 A. I was, my Lord.  
 25 Q. And you can see what Mr Page there said about the

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1 concern -- well, the evidence that there was about  
 2 a plot to destabilise the Ruler and RAK. Can you see  
 3 that?  
 4 A. I can, my Lord.  
 5 Q. This plot to destabilise RAK and the Ruler, is that  
 6 something that you were aware of in 2015 at any time?  
 7 A. I was not aware. What I was aware of, my Lord, was the  
 8 issue that we discussed in the colloquy a few minutes  
 9 ago about "other brother" in 2010. So I don't know  
 10 which brother he's referring to and what dispute he's  
 11 referring to here.  
 12 Q. If we go to {H7/299} again --  
 13 A. Yes.  
 14 Q. -- {H7/299} Mr Handjani -- sorry to make you go back to  
 15 this.  
 16 A. That's okay.  
 17 Q. It's that project report again of March 2015 --  
 18 A. Yes, I see it.  
 19 Q. -- which you've confirmed you didn't see and you've  
 20 confirmed to his Lordship that you had no knowledge of  
 21 its contents, I imagine?  
 22 A. I had no knowledge of its content or its author or the  
 23 work being done, my Lord.  
 24 Q. No. And you've been in court to hear consideration of  
 25 what this report says, haven't you?

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1 A. I have, my Lord.  
 2 Q. And you can see that it deals with an allegation that  
 3 Mr Azima is managing a team of advisers for Dr Massaad  
 4 to undertake some sort of campaign of spreading  
 5 allegations against RAK?  
 6 A. I have, my Lord.  
 7 Q. And your evidence is you were unaware of that in 2015?  
 8 A. I was unaware -- I was absolutely unaware of it. I do  
 9 recall Mr Azima talking to me about a PR campaign coming  
 10 down the track, if you will, if his issues were not  
 11 resolved with the Emirate. I don't know what this  
 12 refers to. It may refer to that or something else.  
 13 I don't know.  
 14 Q. But you were not ever made privy to the matters we see  
 15 being set out in this report?  
 16 A. Never, never, my Lord.  
 17 Q. If we go to {H7/299/16}, can you see what's there said  
 18 there?  
 19 "As we reported above ..."  
 20 Can you see that?  
 21 A. I can, my Lord.  
 22 Q. It's referring to, "... KM's US team has a ... plan to  
 23 smear RAK and its ruler with human rights allegations",  
 24 and it ends up by saying:  
 25 "The campaign is not public yet, so we will be able

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1 to gather intelligence on their progress in order to  
 2 monitor their activities and attempt to contain or ruin  
 3 their plans."  
 4 Does it follow, Mr Handjani, from your evidence this  
 5 afternoon, that you had no knowledge at any stage of  
 6 this putative intelligence-gathering that Mr Page is  
 7 here proposing?  
 8 A. For the avoidance of doubt again, once again, I had no  
 9 knowledge -- I had never met Mr Page. I had no  
 10 knowledge of the existence of this report or any of his  
 11 work. I met him in court for the first time a couple of  
 12 days ago.  
 13 Q. Therefore it follows, I think, that you didn't have any  
 14 awareness of -- you were not involved in any of  
 15 Mr Page's intelligence-gathering work?  
 16 A. None, my Lord.  
 17 Q. Nor in any of his monitoring of the activities of  
 18 people?  
 19 A. None, my Lord.  
 20 Q. And nor of his work in attempting to contain or ruin the  
 21 plans we see here?  
 22 A. None, my Lord.  
 23 Q. If we go, please, to {H7/267}, and do you think,  
 24 Mr Handjani -- it follows, doesn't it, that Mr Page and  
 25 the Ruler and Mr Buchanan and Mr Gerrard could have been

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1 involved in those sorts of matters without you --  
 2 MR TOMLINSON: My Lord, that's not a proper question. It's  
 3 a comment.  
 4 MR LORD: Did you discuss at any time in 2015 any of those  
 5 matters with anybody -- with the Ruler or Mr Buchanan or  
 6 Mr Gerrard?  
 7 A. Which matters, counsel?  
 8 Q. The intelligence-gathering on Mr Azima.  
 9 A. None, never.  
 10 Q. Intelligence-gathering of the sort --  
 11 A. Sorry, never in 2015, no.  
 12 Q. Intelligence-gathering of the sort that Mr Page is there  
 13 talking about in the report?  
 14 A. I think I've been unambiguous about this, counsel. I've  
 15 never seen the report. I had no idea of the content of  
 16 the report. I never met Mr Page until a few days ago.  
 17 The first time I saw this report was when you discussed  
 18 it in open court.  
 19 Q. And therefore it follows that you didn't discuss any of  
 20 those matters at any stage with the Ruler?  
 21 A. Which matters? In the report?  
 22 Q. The matters in the report.  
 23 A. No.  
 24 Q. Nor with Mr Buchanan?  
 25 A. No -- well, not the matters in the report, no.

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1 Q. And nor with Mr Gerrard?  
 2 A. That is correct.  
 3 Q. Would you go to {H7/267} please?  
 4 A. I have it up.  
 5 Q. Thank you very much. Again you've heard the exchanges  
 6 about these emails, haven't you, Mr Handjani?  
 7 A. At length, my Lord.  
 8 Q. Yes. And you know what I'm going to ask you: these  
 9 emails record the Ruler's apparent instruction to target  
 10 Mr Azima in early 2015, don't they, on their face?  
 11 A. Without context that's correct, my Lord.  
 12 Q. And you heard Mr Buchanan give evidence that he thought  
 13 one of the prompts for the Ruler's wanting to target  
 14 Mr Azima in 2015 was what the Ruler had understood  
 15 Mr Azima to be up to as revealed by Mr Page's March  
 16 project update.  
 17 A. In none of my discussions with the Ruler did Mr Page's  
 18 project update or Mr Buchanan's assertions at this time  
 19 ever come up, my Lord.  
 20 Q. Did they come up at some time Mr Handjani?  
 21 A. Many -- maybe a year and a half later.  
 22 Q. How did they come up then?  
 23 A. They came up when the information was on the internet on  
 24 Mr Azima and it was -- the work that he was doing, it  
 25 became public.

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1 Q. Mr Handjani, you've been in court for the trial, haven't  
 2 you?  
 3 A. Since day one, my Lord.  
 4 Q. And you've heard, haven't you, Mr Page's evidence?  
 5 A. I have, my Lord.  
 6 Q. And you've heard how he describes the  
 7 intelligence-gathering that he carried out for the  
 8 Ruler, haven't you?  
 9 A. I have, my Lord.  
 10 Q. And you've heard the evidence about the monthly updates  
 11 that Mr Page provided for the Ruler and Mr Buchanan and  
 12 on occasion Mr Gerrard?  
 13 A. I have, my Lord.  
 14 Q. And you've no reason to think that those matters and  
 15 that work didn't take place, have you?  
 16 A. I can't comment on the work of Mr Page, counsel.  
 17 Q. So can you explain to his Lordship -- can you explain  
 18 how it would come to pass, then -- how would it be that,  
 19 if these matters did take place, you never got any wind  
 20 of them, you never heard about them and you never  
 21 discussed them with the Ruler or anybody else? Can you  
 22 explain that? If you're one of the Ruler's -- if you  
 23 like, you're -- you know the Ruler, you go to the  
 24 Palace, you have some dealing with him, which you've  
 25 given evidence of, you know the sort of work that

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1 Mr Page was doing, which you've heard about, how do you  
 2 explain that you in fact allegedly didn't have any idea  
 3 of what Mr Page was in fact doing in 2015, Mr Handjani?  
 4 A. Well, it's not for me to explain. I can just tell you  
 5 I wasn't aware of it. The Ruler didn't discuss it with  
 6 me, neither did Mr Buchanan or Mr Page. I never met  
 7 Mr Page.  
 8 Q. Does it look from where you are now as if matters were  
 9 happening in relation to Mr Page's work that were  
 10 essentially kept from you?  
 11 A. Well, the Ruler has no fiduciary obligation to discuss  
 12 matters -- those matters with me. I am -- I was not his  
 13 employee. You've referred to me as his "confidant",  
 14 I think that's a bit of a stretch. He doesn't discuss  
 15 all matters with me. So, no, I don't find it unusual.  
 16 Q. So if we go to {H7/267}, which is this exchange of  
 17 emails --  
 18 A. Yes, I see them, my Lord.  
 19 Q. -- you responded to Mr Buchanan by saying:  
 20 "I'm not sure that's possible at the moment."  
 21 That's the targeting of Mr Azima.  
 22 A. I see it, my Lord.  
 23 Q. "I don't know what basis you would target him.  
 24 Thoughts?"  
 25 And Mr Buchanan summarised that. He summarised

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1 that -- and you were in court for this. I put to him --  
 2 I said this {Day2/124:14}:  
 3 "It's not saying, is it, that RAK will never go  
 4 after Mr Azima. It's really saying, "Now is not the  
 5 time because we have other irons in the fire, other  
 6 things are going on". That's what it's saying, isn't  
 7 it?"  
 8 And Mr Buchanan said:  
 9 "That is a fair interpretation of that sentence."  
 10 A. Yes, I don't think he was referring to this email and  
 11 that's not what I see here, my Lord.  
 12 Q. Yes, sorry, he's referring to 274 -- yes, you're quite  
 13 right. {H7/274}, you're quite right.  
 14 A. If you could put that email up, I'm happy to discuss it.  
 15 Q. Yes, {H7/274}. You're right, Mr Handjani. I apologise.  
 16 A. Yes.  
 17 Q. I think you're right, that was the email.  
 18 These were obviously your words, not Mr Buchanan's.  
 19 Do you agree with that assessment of what you were there  
 20 communicating?  
 21 A. No, I don't -- with Mr Buchanan's assessment?  
 22 Q. Yes.  
 23 A. No, I don't.  
 24 Q. So what were you saying there?  
 25 A. I was saying here that we should -- my belief at the

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1 time was that we should be pursuing a negotiated  
 2 settlement with Mr Azima, we have to see if his claim is  
 3 valid, and going down a track that would lead to  
 4 conflict with Mr Azima would not be in the best  
 5 interests of the Emirate. And I knew at the time --  
 6 I became aware at the time that the Emirate was involved  
 7 in sort of massive uncovering of fraud of various  
 8 ex-employees and I didn't think that we should mix that  
 9 with Mr Azima's matter, and so -- and I -- I'm  
 10 advocating here to -- my humble opinion is that we  
 11 should not be fighting multiple fires at one time and we  
 12 should give full weight and support to Mr Buchanan and  
 13 Mr Bustami's negotiation with Mr Azima and I advised  
 14 His Highness as much.

15 Q. But the context was that -- the context was a wish to  
 16 keep the dispute with Mr Azima under control given the  
 17 bigger dispute with Dr Massaad.

18 A. The context, counsel, was that the -- there's no --  
 19 there was no dispute per se at this time with Mr Azima.  
 20 He had called me, he had told me the Emirate owed him  
 21 a large sum of money, and there was no basis to believe  
 22 that the Emirate owed him such money, and I thought that  
 23 we need to investigate that claim and you don't --  
 24 you know, you don't throw the baby out with the bath  
 25 water. You first -- you know, you first examine and see

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1 what it is that Mr Azima is putting to us, what  
 2 documents, what information he has to justify and merit  
 3 his claim, and you see if you can negotiate a commercial  
 4 settlement with Mr Azima. That's the context, counsel.

5 Q. Can you go, please, to the Ruler's statement at  
 6 {D/17/7}? Had you read the Ruler's statement,  
 7 Mr Handjani, before this trial?

8 A. I had not. I read it at trial, counsel.

9 Q. You have read this statement?

10 A. I have.

11 Q. So you're familiar with what the Ruler says at  
 12 paragraphs 22 to 24, are you?

13 A. Not by memory. I'd have to see it.

14 Q. Well, why don't you have a look at it now, then?

15 A. Sure. 22 and 23?

16 Q. Yes, and then 24, please.

17 A. Okay. (Pause) Yes.

18 Q. You see --

19 A. I haven't seen 24 yet, so.

20 Q. Okay, the next page {D/17/8}. (Pause)

21 A. Yes, I have read them.

22 Q. The Ruler is saying in paragraph 23 that he wanted  
 23 information in particular about the role Mr Azima had  
 24 played because he suspected him of being involved with  
 25 Dr Massaad's criminal schemes.

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1 A. Yes, I see that.

2 Q. Is it your evidence to his Lordship that the Ruler  
 3 didn't make you aware of those sentiments of his at the  
 4 time?

5 A. The Ruler at the time, my Lord, was, I think, in a state  
 6 of shock at the level and the number -- the quantum of  
 7 the fraud of Dr Massaad that was being alleged, and my  
 8 understanding was Mr Azima came to know the Ruler and  
 9 work in the Emirate through Dr Massaad. So I think he  
 10 was maybe in his mind putting the two together.

11 Q. That wasn't the question, Mr Handjani. I asked you  
 12 whether you were made aware that these were the Ruler's  
 13 thoughts at or around some time in early or mid-2015.

14 A. I can't recall, counsel, what the Ruler's thoughts were  
 15 then.

16 Q. It's likely that you would have been made aware of  
 17 those, Mr Handjani, isn't it, given your position  
 18 vis-a-vis the Ruler?

19 A. Not necessarily.

20 Q. It's likely you would have been, though, isn't it?

21 A. No, not necessarily. I didn't know about Mr Page and  
 22 his work so why would I know what the Ruler's  
 23 thoughts ...

24 Q. Because when you see emails where Mr Buchanan says that  
 25 the Ruler wants Mr Azima targeted and you and

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1 Mr Buchanan and Mr Bustami have a brainstorming session  
 2 to find out what you can do, I suggest that you would  
 3 have discussed, on that occasion, the Ruler's concerns  
 4 as he sets them out in paragraphs 22 to 24 of his  
 5 statement {D/17/7-8}.

6 A. I later became aware through those brainstorming  
 7 sessions or meeting with Mr Buchanan and Mr Bustami.

8 Q. So when was that, do you think? Some time in mid-2015?

9 A. If I may, if you see on my emails back when they ask me,  
 10 "Have you ..." -- you know, "Has the Ruler -- has he  
 11 mentioned Mr Azima to you or targeting him?", and  
 12 I said, "No, he hasn't". So the fact that I say I don't  
 13 know what they are talking about is an indication that  
 14 he hadn't mentioned that to me at the time.

15 Q. Well, I suggest, Mr Handjani, that what it is also  
 16 consistent with is you not telling Mr Buchanan and  
 17 Mr Bustami of something that you knew from the Ruler.  
 18 I suggest that that's probably what you were doing  
 19 there. You were keeping from them, weren't you,  
 20 something which was for your ears and not for  
 21 Messrs Buchanan and Bustami, as you saw it then?

22 A. No, that's not what I was doing, my Lord. They were  
 23 closer to the matter than I was.

24 Q. So you said that there did come a time, as a result of  
 25 the brainstorming, when you did become aware of these

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1 concerns of the Ruler's; is that right?  
 2 A. That is correct, my Lord.  
 3 Q. And when was that, do you think, Mr Handjani?  
 4 A. Somewhere around that time, my Lord.  
 5 Q. Around what time? Can you give a date for the  
 6 transcript, please?  
 7 A. I can't give a date. Somewhere around the first few  
 8 weeks of April 2015.  
 9 Q. So you were aware at that stage of the Ruler's concerns  
 10 about Mr Azima's being caught up in or playing a part in  
 11 Dr Massaad's allegedly criminal activities?  
 12 A. Around that time, yes.  
 13 Q. That would be something, I imagine, Mr Handjani, that  
 14 the Ruler would have been very exercised about?  
 15 A. I would agree.  
 16 Q. The fact that Mr Azima had seemingly helped Dr Massaad  
 17 in his criminal activities would have been a cause of  
 18 serious concern to the Ruler, wouldn't it?  
 19 A. Well, there wasn't an allegation at the time that -- or  
 20 a charge at the time that he had helped Dr Massaad.  
 21 There was only suspicion that he had helped Dr Massaad.  
 22 Q. It's likely, isn't it, that if the Ruler was concerned  
 23 in that way and he was indicating he wanted Mr Azima  
 24 targeted, that there would be some investigation or  
 25 action taken by those answerable to the Ruler in order

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1 to implement his wishes?  
 2 A. I wouldn't know, my Lord. I was not part of any  
 3 investigation.  
 4 Q. It's likely, isn't it -- why, then, were you privy to  
 5 a discussion with Mr Buchanan and Mr Bustami about how  
 6 the Ruler's instruction to target Mr Azima might be  
 7 implemented? Why were you even involved in that?  
 8 A. That's a very good question, counsel. It was Mr Azima  
 9 who reached out to me, and I relayed a message to the  
 10 Ruler, my Lord. I did not insert myself, nor did  
 11 the Ruler insert me, first into this position of being  
 12 interlocutor. It was Mr Azima who reached out to me,  
 13 and that's consistent with my statement.  
 14 Q. But there came a time in early April 2015, Mr Handjani,  
 15 when you obviously were privy to a discussion with  
 16 Mr Bustami and Mr Buchanan about how the Ruler's wish to  
 17 target Mr Azima might be based, weren't you?  
 18 A. That's correct, my Lord.  
 19 Q. And that was around about April 2015?  
 20 A. Some time in that month, my Lord, yes.  
 21 Q. And I'm suggesting that you, as a good and loyal subject  
 22 of the Ruler --  
 23 A. I am not a subject of the Ruler, my Lord.  
 24 Q. Well, you would have sought -- the point I'm putting to  
 25 you is, can you give any evidence as to what, if

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1 anything, was done pursuant to the Ruler's admitted  
 2 desire for information about Azima? Something must have  
 3 been done, Mr Handjani. What was it?  
 4 A. Well, you have the email trail, counsel, from me and you  
 5 have my statement, and you know very well that what took  
 6 place was we looked into Mr Azima's claims. No charges  
 7 were brought against Mr Azima, either civilly or  
 8 criminally. We looked at his claims. I introduced  
 9 Mr Azima to Mr Buchanan because he was the executive in  
 10 charge of looking after the various commercial matters  
 11 at that time in the Emirate and I did that so he could  
 12 enter into a negotiation with Mr Azima to see if his  
 13 claims were justified. And I think they were -- both  
 14 sides were successful in that negotiation so in fact  
 15 nothing happened with Mr Azima.  
 16 Q. And if, in fact, the Ruler's information-gathering  
 17 instruction led to Mr Page going off to gather  
 18 intelligence and monitoring Mr Azima, that's not  
 19 something that you can give any evidence about, can you,  
 20 because you weren't involved in it?  
 21 A. That is correct, my Lord. The extent of my involvement,  
 22 counsel, as you know, because you've seen the emails,  
 23 was right here in 2015 and 2016.  
 24 Q. Nor would you be in any position to say that Mr Page did  
 25 not in fact carry out investigative work for the Ruler

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1 at that time?  
 2 A. I can't comment on any work Mr Page has done, my Lord.  
 3 Q. If we go to {H7/464}, please.  
 4 A. Yes, I see it.  
 5 Q. I know you're familiar with these emails. They're  
 6 in July --  
 7 A. I am, my Lord.  
 8 Q. This is an exchange between you and Mr Buchanan,  
 9 isn't it, at that time?  
 10 A. Yes.  
 11 Q. At the foot of the page Mr Buchanan has kicked off this  
 12 chain to you as follows:  
 13 "NB [that's Mr Bustami] says the Boss wants criminal  
 14 stuff taken out of letter and to go after FA -- subject  
 15 to guidance from AF.  
 16 "Nothing else new from NB -- will speak to AF  
 17 tomorrow and fill you in."  
 18 Was Mr Buchanan in the habit of filling you in on  
 19 these sorts of matters, Mr Handjani?  
 20 A. What sort of matters, counsel?  
 21 Q. Well, the point he's discussing in this email. You were  
 22 there; I wasn't there.  
 23 A. I can't really recall this email, counsel. This is five  
 24 years ago now. I've looked at it a number of times.  
 25 There was -- there were two issues going in parallel.

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1 There was the issue of Dr Massaad, my Lord; there was  
2 the issue of looking at Mr Azima's claims. I don't know  
3 what letter he's talking about here, "criminal stuff  
4 taken out". I don't really believe there was ever  
5 a letter presented to Mr Azima where criminal stuff was  
6 put in. So it could have been Mr Massaad, it could be  
7 somebody else. I just don't know.

8 I can confirm that "subject to guidance of AF" is  
9 Andrew Frank and "nothing else new from NB" is  
10 Naser Bustami.

11 Q. And when you responded "Talking to the boss now", that's  
12 a reference to the Ruler, isn't it, Mr --

13 A. It is, my Lord.

14 Q. "He wants me to respond to the little guy ..."

15 That's a reference to Mr Azima, isn't it?

16 A. Yes, and I apologise to him for that reference. I don't  
17 know where that comes from and it's not language that  
18 I typically use.

19 Q. It's a somewhat derogatory way of describing him, isn't  
20 it?

21 A. I think that's fair to say.

22 Q. So might that reflect perhaps a little two-facedness on  
23 your part in relation to Mr Azima around about this  
24 time?

25 A. No, I don't think so.

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1 Q. You know what I mean by that, that you were on the  
2 surface friendly with him, but actually privately you  
3 held a rather lower view of him; would that be fair?  
4 A. No, that would be unfair. This is an off-hand email,  
5 so -- people say things on off-hand emails sometimes  
6 that are a little loose.  
7 Q. But you're saying there, "[The boss] wants you to  
8 respond to [Mr Azima] in an email and to coordinate with  
9 you". So you were talking to the Ruler in the context  
10 of the Ruler's wish to go after Mr Azima; that's right,  
11 isn't it?

12 A. No, that's incorrect.

13 Q. Right.

14 A. The entire -- at this time, my Lord, the entire thrust  
15 of what I believe was going on in my involvement was to  
16 substantiate the validity of Mr Azima's monetary claim.  
17 It came out of the sky. It came to me first. I relayed  
18 that to the Ruler. In subsequent conversations the  
19 quantum went down very quickly. I only understood now,  
20 in court the last week, that there were various  
21 components of that claim, so it went from 8 to 5 to 3 to  
22 2.6, which was the settlement, and that was top of mind  
23 at this time. There was no attempt by me or, I believe,  
24 Mr Buchanan or Mr Bustami to attack or coordinate any  
25 sort of campaign against Mr Azima. We simply wanted to

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1 substantiate the quantum of his claim and enter into  
2 a negotiation with him, which we did.

3 Q. So what do you understand by the Ruler wanting to go  
4 after Mr Azima at this time? What was prompting  
5 the Ruler to want to go after Mr Azima?

6 A. I think he wanted to -- as I said, my Lord, he wanted to  
7 understand if Mr Azima was connected to the frauds of  
8 Dr Massaad because he came to know the Ruler through  
9 Dr Massaad, and it was around the same time that the  
10 frauds of Dr Massaad had come up and Mr Azima called and  
11 asked for \$8 million and said that, if this matter  
12 wasn't settled, that there would be blitzkrieg campaign  
13 against Ras Al Khaimah. I think that would be  
14 unsettling for anyone to hear, my Lord.

15 Q. Mr Handjani, isn't this the true position around about  
16 July 2015? The Ruler, through Mr Page, understood that  
17 Dr Massaad was planning potentially some sort of smear  
18 campaign against the Ruler and RAK?

19 A. Well, I don't know what he had heard from Mr Page,  
20 my Lord. He had heard that from me because Mr Azima had  
21 relayed that to me in various phone calls at that time.

22 Q. In the middle of 2015?

23 A. The first phone call he had said to me that if his  
24 matter wasn't settled, you know, bad things would be  
25 happening, a campaign was coming. Then, as time went

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1 by, he mentioned that -- and I don't remember if it was  
2 in June or July or August -- that, you know, Mr Massaad  
3 was -- the word that kept coming up was "blitzkrieg".  
4 Now, I did not know what that term was because I'm not  
5 European. I know what a blitz is and so that's --  
6 I think that unsettled the Ruler, to hear that  
7 a blitzkrieg was coming his way.

8 Q. Mr Handjani, it's right, isn't it, that certainly by the  
9 middle of 2015 it had appeared to the Ruler -- two  
10 things: that Dr Massaad may have been involved in a very  
11 significant criminal fraud at effectively RAK's expense,  
12 allegedly?

13 A. Allegedly, yes.

14 Q. And, secondly, that the same Dr Massaad was threatening  
15 or planning some sort of smear campaign against  
16 the Ruler and RAK?

17 A. Yes, I would say that's correct, my Lord.

18 Q. And I suggest, Mr Handjani, that the truth here is that  
19 those two things were always connected, weren't they, as  
20 far as the Ruler and you and those at RAK were  
21 concerned -- weren't they, Mr Handjani? They were  
22 always part of the same -- they were part of the same  
23 overarching battle with Dr Massaad, weren't they,  
24 Mr Handjani?

25 A. My Lord, I had no battle with Dr Massaad. I was not

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1 involved in any of the investigatory work involving  
 2 Dr Massaad. I became involved in this matter because  
 3 Mr Azima called me and asked me to relay a message to  
 4 the Ruler, my Lord, and that's how I became involved in  
 5 this matter. And the Ruler, His Highness, saw me as an  
 6 interlocutor between myself and Mr Azima and that is it.  
 7 I can't comment on who knew what, when, what was in the  
 8 mind, because that is not what I'm here for, my Lord.  
 9 Q. So by the middle of 2015 or thereabouts, I think you've  
 10 said that you did know by that stage of the Ruler's  
 11 concerns in that witness statement.  
 12 A. Yes, I -- that is correct, my Lord.  
 13 Q. In other words, the Ruler thought that Mr Azima had  
 14 helped Dr Massaad in his big criminal scheme?  
 15 A. There was a question as to whether it was. There was  
 16 nothing in my mind -- to my mind, rather -- that --  
 17 Q. The Ruler suspected that -- you were aware of  
 18 the Ruler's suspicion?  
 19 A. There was a suspicion because of the quantum of the  
 20 claim Mr Azima was making, which came out of the sky,  
 21 that -- we had no paperwork, we had no nothing at the  
 22 time to substantiate -- that he may have been involved  
 23 with Dr Massaad, counsel.  
 24 Q. And also, certainly by around the middle of 2015, as  
 25 you've just said, you were aware of a threatened

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1 campaign being mounted by or on behalf of Dr Massaad  
 2 against RAK and the Ruler?  
 3 A. From Mr Azima, my Lord.  
 4 Q. But you were aware of that?  
 5 A. From Mr Azima, my Lord.  
 6 Q. I know you say it wasn't from Mr Page, but --  
 7 A. I've never met Mr Page, my Lord, until court and I had  
 8 no idea of his work, my Lord.  
 9 Q. So just follow it so far. So by middle of 2015 you,  
 10 Mr Handjani, were aware of both those aspects of concern  
 11 to the Ruler, weren't you?  
 12 A. From Mr Azima, my Lord.  
 13 Q. The answer is "Yes"?  
 14 A. Yes.  
 15 Q. So you were aware both of the Ruler's concern about  
 16 Mr Azima's part in the fraud and you were aware about  
 17 the potential campaign by Massaad against the Ruler and  
 18 RAK?  
 19 A. That is correct, my Lord.  
 20 Q. And I suggest to you, Mr Handjani, that those two  
 21 aspects were not separate, but they were connected,  
 22 weren't they, Mr Handjani?  
 23 A. I'm not following, counsel.  
 24 Q. Well, it's right, isn't it -- I'll put it a different  
 25 way, Mr Handjani. It's not the case, is it, that as far

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1 as RAK and RAKIA was concerned in relation to Mr Azima  
 2 and Dr Massaad, that they saw the fraud, the money bit,  
 3 as separate from the smear campaign because they thought  
 4 that the smear campaign was part of the tactic of  
 5 Massaad in that struggle about the assets? In other  
 6 words, it's all part of the same overall dispute,  
 7 isn't it, Mr Handjani?  
 8 A. Quite the contrary, my Lord. Mr Azima's claim was being  
 9 looked at separately -- of the quantum -- to justify if  
 10 that claim had merit. Mr Azima, in subsequent  
 11 discussions with me and from Mr Buchanan, as his  
 12 testimony and he has said, would mention that if --  
 13 there would actually be two buckets, if you will. One  
 14 is, if his claim wasn't settled, it would be not good  
 15 for the Emirate and not good things would happen; and  
 16 also, if Mr Massaad's matters were not settled,  
 17 negotiated -- came to a negotiated settlement, it would  
 18 be very bad for the Emirate as well. I actually believe  
 19 Mr Azima was advocating for Dr Massaad in 2015.  
 20 Q. You see, I suggest, Mr Handjani, that you're not being  
 21 entirely straightforward about --  
 22 A. Oh no, I'm being very straightforward, counsel.  
 23 Q. -- because I suggest to you that if you look at it from  
 24 RAK's point of view, they think -- the Ruler thinks and  
 25 RAK thinks that Dr Massaad may have committed a great

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1 fraud against them and then they learn that the same  
 2 Dr Massaad from abroad somewhere is plotting some  
 3 destabilising campaign against RAK and the Government  
 4 and the Ruler, and at that point they're going to think,  
 5 "Well, we've got to sort out -- this Dr Massaad, that's  
 6 a real problem for us, isn't it?" That's the sort of  
 7 natural reaction, isn't it, if you're working for RAK?  
 8 A. I was not -- first of all, counsel, to be clear, I was  
 9 not working for RAK, my Lord.  
 10 Q. Hypothetically, that would be a concern.  
 11 A. I can't answer hypotheticals, but I can tell you that  
 12 Mr Azima's role -- Mr Azima came up on the radar to me  
 13 because he wanted -- he claimed he was owed \$8 million.  
 14 I relayed that message. Subsequently, not only was he  
 15 discussing the quantum of the \$8 million he was owed and  
 16 it would not be good for us if that claim wasn't  
 17 settled, he also discussed that, if Mr Massaad's issues  
 18 were not resolved in an appropriate manner, in  
 19 a commercial manner, that a blitzkrieg and a negative PR  
 20 campaign would be coming our way. And that was  
 21 a consistent message that Mr Azima relayed to me, so  
 22 much so, my Lord, that I did not want to be involved in  
 23 this matter because things were getting to the point  
 24 where I didn't like relaying messages back and forth  
 25 about negative PR. Unfortunately negative PR, my Lord,

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1 did come and this is for this precise reason.  
 2 Q. What you're talking about now all happened in 2016,  
 3 didn't it, Mr Handjani?  
 4 A. 2015 and 2016, my Lord.  
 5 Q. No, you see, I think, Mr Handjani, the problem is that  
 6 you're running on too fast in the story. I want you to  
 7 look at the second half of 2015, please, and I'm  
 8 suggesting to you that by that point in time those  
 9 acting for and on behalf of RAK and RAKIA and the Ruler  
 10 would have understood there to be two issues, two  
 11 aspects of Dr Massaad's threat. One was the financial  
 12 aspect that he'd taken their money by fraud and the  
 13 other was he was threatening a campaign which they would  
 14 have seen as an attempt by him to hang on to that money  
 15 and to keep them at bay.  
 16 A. Counsel, I can't --  
 17 Q. Would that be a fair assessment of what was happening  
 18 there, Mr Handjani?  
 19 A. I can't possibly comment on what RAK's position of  
 20 Dr Massaad was. I'm here to answer questions about  
 21 Mr Azima and this claim. I don't know what RAK's state  
 22 of mind in 2015 was, counsel, to Dr Massaad.  
 23 Q. Do you agree if you put yourself in the position of  
 24 the --  
 25 MR TOMLINSON: My Lord, this has gone on too long. It's

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1 purely -- he can ask this witness what this witness knew  
 2 or thought, but he can't ask this witness to hypothesise  
 3 about what other people thought about matters in 2015.  
 4 It's constantly put on a hypothetical basis.  
 5 JUDGE LENON: I agree. I don't find those questions very  
 6 helpful.  
 7 MR LORD: Well, I'll move on.  
 8 There's no evidence, is there, Mr Handjani, after  
 9 the July 2015 exchanges that you had with Mr Buchanan --  
 10 there's no evidence of the Ruler changing his  
 11 instruction or withdrawing his instruction to go after  
 12 Mr Azima?  
 13 A. Well, counsel, I would quibble with you. My Lord, those  
 14 instructions are not how you have framed them and  
 15 secondly there is evidence. The evidence is that we  
 16 entered into a commercial settlement with -- and  
 17 negotiation with Mr Azima. Mr Buchanan led that  
 18 settlement -- those settlement discussions, and they  
 19 took quite some time and they were pretty arduous, and  
 20 they came to what I thought was a -- what I've come to  
 21 know now is a very fair and balanced settlement.  
 22 Q. Mr Handjani, you weren't involved in those matters, were  
 23 you?  
 24 A. Tangentially, my Lord.  
 25 Q. So how were you involved in those matters, then?

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1 Because the thing that puzzles is how you were involved  
 2 in those matters but not as aware of some of the other  
 3 things that were going on in RAK at the time. So can  
 4 you say how were you involved in the settlement  
 5 agreement?  
 6 A. Occasionally, my Lord, Mr Azima would call me and  
 7 I would relay messages to His Highness and I would get  
 8 an update on where things were and I would relay that  
 9 back to Mr Azima. And I was always, have been, in  
 10 favour of a commercial settlement with him, and I was --  
 11 when the settlement actually happened, he called me and  
 12 he thanked me, my Lord.  
 13 Q. You weren't involved, were you, with any of  
 14 Mr Buchanan's investigation into Mr Azima's claim, were  
 15 you?  
 16 A. I was not, my Lord.  
 17 Q. At all?  
 18 A. I was not, my Lord.  
 19 Q. And you weren't involved, were you, with any of the  
 20 internal consideration within RAK or RAKIA as to whether  
 21 to enter into that agreement with Mr Azima or not --  
 22 were you?  
 23 A. No, but I was advocating for it, my Lord.  
 24 Q. But you weren't involved in the machinations of  
 25 Mr Buchanan and Mr Gerrard, were you?

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1 A. I was not, my Lord.  
 2 Q. And nor with their thinking on that topic with anybody  
 3 else within RAK or RAKIA, were you?  
 4 A. I'm sorry, could you repeat the question, counsel?  
 5 Q. You weren't involved at all with any RAK or RAKIA  
 6 consideration of whether to enter into a settlement with  
 7 Mr Azima?  
 8 A. No, I believe I was because that's what I was advocating  
 9 for, my Lord.  
 10 Q. But apart from a sort of general sort of advocacy for  
 11 a settlement with Azima, you weren't involved in any of  
 12 the analysis on the RAKIA side of things as to whether  
 13 that was a good idea and, if so, on what terms?  
 14 A. That's a fair statement, counsel.  
 15 Q. And that was left effectively to the Ruler and  
 16 Mr Buchanan and possibly Mr Gerrard, wasn't it?  
 17 A. Also a fair statement, my Lord.  
 18 MR LORD: Would that be a convenient point, my Lord?  
 19 JUDGE LENON: How much longer do you --  
 20 MR LORD: Probably about half an hour, I think.  
 21 A. I can keep going if you want, my Lord.  
 22 JUDGE LENON: We'll call it a day now, thank you. You  
 23 appreciate you mustn't talk about your evidence with  
 24 anyone, Mr Handjani.  
 25 A. Of course, my Lord, I understand.

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1 (4.30 pm)  
 2 (The hearing adjourned until 10.30 am on Friday,  
 3 31 January 2020)  
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